



**Los Angeles Regional Water Quality Control Board**

Mr. Ron Dragoo, P.E.  
City of Rancho Palos Verdes  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, CA 90275

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
No. 7011 2970 0000 0645 0174

**WATER QUALITY CERTIFICATION FOR PROPOSED SAN RAMON CANYON STORM DRAIN TUNNEL PROJECT (Corps' Project No. 2011-01140-CO), SAN RAMON CANYON DRAINAGE, RANCHO PALOS VERDES, LOS ANGELES COUNTY (File No. 11-201)**


Dear Mr. Dragoo:

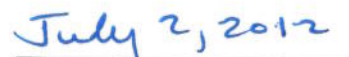
Board staff has reviewed your request on behalf of City of Rancho Palos Verdes (Applicant) for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on May 24, 2012.

I hereby issue an order certifying that any discharge from the referenced project will comply with the applicable provisions of sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards) of the Clean Water Act, and with other applicable requirements of State law. This discharge is also regulated under State Water Resources Control Board Order No. 2003 - 0017 - DWQ, "General Waste Discharge Requirements for Dredge and Fill Discharges that have received State Water Quality Certification" which requires compliance with all conditions of this Water Quality Certification.

The Applicant shall be liable civilly for any violations of this Certification in accordance with the California Water Code. This Certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this Certification action, please contact Valerie Carrillo, Lead, Section 401 Program, at (213) 576-6759.

  
\_\_\_\_\_  
Samuel Unger, P.E.  
Executive Officer

  
\_\_\_\_\_  
Date

## **DISTRIBUTION LIST**

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State Water Resources Control Board  
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4949 View Ridge Avenue  
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U.S. Environmental Protection Agency, Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

Jim Bartel  
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6010 Hidden Valley Road  
Carlsbad, CA 92009

## ATTACHMENT A

### Project Information File No. 11-201

1. Applicant: Mr. Ron Dragoo, P.E.  
City of Rancho Palos Verdes  
30940 Hawthorne Boulevard  
Rancho Palos Verdes, CA 90275  
  
Phone: (310) 544-5253      Fax: (310) 544-5292
2. Applicant's Agent: Ms. Saundra F. Jacobs, REA  
SFC Consultants  
65 Post, Suite 1000  
Irvine, CA 92618  
  
Phone: (949) 702-1145      Fax: (949) 266-9390
3. Project Name: San Ramon Canyon Storm Drain Tunnel Project
4. Project Location: Rancho Palos Verdes, Los Angeles County  

<u>Latitude</u>	<u>Longitude</u>
33.73244	118.32915
33.72225	118.33445
5. Type of Project: Storm Drain Tunnel Project
6. Project Purpose: The City of Rancho Palos Verdes is proposing to create a new drainage system to replace the existing clogged and buried storm drain inlet under West 25<sup>th</sup> Street.
7. Project Description: The existing San Ramon Canyon drainage system conveying flows under West 25<sup>th</sup> Street is currently undersized. During storm events, the existing storm drain inlet is clogged and buried, which floods the road with water and sediment. The existing inlet structure is a 48-inch diameter pipe system. The excess flow of water is forced to cross W. 25<sup>th</sup> Street/Palos Verdes Drive South, carrying with it boulders, mud, and other debris across the W. 25<sup>th</sup> Street roadway and into the mobile home properties to the south. The San Ramon Canyon storm drain project is intended to prevent degradation of topsoil, property damage, and avoid a hazard to public safety. Further, the storm drain project will minimize road closure of Palos Verdes Drive South/W. 25<sup>th</sup> Street during storm events.



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The project will consist of a new mid-canyon storm drain inlet structure and tunnel alignment north of West 25<sup>th</sup> Street that will gravity flow through the tunnel to a cut and covered section of buried pipe located south of W. 25<sup>th</sup> Street, and transition into a second tunnel to a new outlet structure at the base of the bluff with an outlet to the ocean. The storm drain alignment will be approximately 4,200 feet long, consisting of 54-inch diameter pipe from inlet to outlet. The total tributary area draining into the new storm drain is within 123.7 acres. The existing 48-inch storm drain below West 25<sup>th</sup> Street will remain in place and serve as backup as necessary. It is anticipated that the project will start-up in June 2012 and take 17 months to complete.

**Inlet Structure:** Excavation of the inlet structure improvements will require approximately 660 cubic yards of cut and 1,250 cubic yards of fill, within a segment of 200 linear feet of the canyon. These excavation quantities include a small amount of hand trenching needed for a terrace drain along the eastern canyon slope adjacent to the inlet structure.

**Buttress Fill:** In addition to construction of the inlet structure in the canyon and tunnel, an earthen filled gravity-type buttress and associated terrace drains will be constructed in the canyon by filling portions of the canyon floor approximately 20 to 30 feet in depth from the inlet structure, to a point downstream of the existing Tarapaca landslide area for a distance of approximately 900-feet, tapering down to join the existing canyon bottom. Approximately 51,000 cubic yards of excavated fill will be needed and will primarily come from the tunnel spoils. The resulting surface area of fill will be approximately 2.75 acres.

**Construction Access Roads:** This project will require construction of two access roads north of W. 25<sup>th</sup> Street in order to access the canyon. The first access road will be constructed from the northernmost switchback of Palos Verdes Drive East in order to access the canyon for construction of the inlet structure. The road will be approximately 350-feet in length and be stabilized in place by a retaining wall. Approximately 2,400 cubic yards of cut and 500 cubic yards of fill will be required for the permanent access road. The retaining wall will vary in height from 0-feet at the access road entrance at Palos Verdes Drive East to a maximum of 12.5-feet midway down the slope. The access road is proposed to be 17-feet

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in width, which includes 14-feet of road, 2-feet of K-rail on the downward slope side of the road, and 1-foot of shoulder on the downward slope side of the k-rail. The access road will gently slope westward away from the canyon so that no storm water flows directly over the road and into the canyon. Over excavation of the canyon wall will be required in order to properly place the retaining wall and associated access road appurtenances. Excavated sediment would then be replaced at no greater than a 2:1 slope. Because of the extensive engineering and construction required of this access road and retaining wall, this first access road will be subsequently paved after construction with neutral colors and serve as the permanent maintenance road for the City.

The second construction access road will be located on the southern-most switchback of Palos Verdes Drive East, and provide temporary access for the buttress fill portion of the project. The site for this road was chosen due to the minimal amount of grading that would be required as the existing underground sewer line easement is in the same location. Access from this location will be considerably easier and require little or no grading. At the project's completion, this second temporary access road will be re-vegetated with a native hydro seed mix.

**Tunnel and Cut and Cover Pipe:** A large diameter tunnel will be constructed from the inlet structure to a point below the steep slopes, south of W. 25<sup>th</sup> Street, approximately 1,900 feet in length. Approximately 3,000 cubic yards of sediment will be cut for the tunnel and used in the buttress fill. A pipe will be installed in this tunnel and the annular space between the pipe and tunnel will be filled by pumping a cement-slurry into the space. The pipe from the storm drain tunnel will connect to a section of pipe that will be installed using a cut and cover method of installation. The cut and cover pipe section will be located within the existing 100-foot wide utility easement and require approximately 7,090 cubic yards of excavated cut. The pipe will extend approximately 1,900 feet to a point approximately two hundred feet from the ocean bluff top where it will connect to another tunnel, approximately 300 feet in length, to the outlet structure. After construction, this area will be restored to enhance the open space and recreational uses in this area.

**Outlet Structure:** The outlet structure would be located above the



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high tide line and connected from the second tunnel, approximately 300 feet in length. Excavation of 660 cubic yards of cut and 285 cubic yards of fill are anticipated for the outlet structure.

**Construction Access South of W. 25<sup>th</sup> Street:** Construction access south of W. 25<sup>th</sup> Street/Palos Verdes Drive South will be through an existing utility road from the adjacent mobile home park to the east. If permission cannot be obtained to use this road, secondary access to this area can be accommodated via W. 25<sup>th</sup> Street/Palos Verdes Drive South. In this second access scenario, the existing trail within the utility easement would be graded into gentle switch backs to allow construction equipment to access this section of the storm drain. However, regardless of where construction access is obtained, after construction of the storm drain project, the switch back trail will remain as a public access casual trail that creates a gateway to this open space parcel.

Construction of the outlet structure will require access from Royal Palms State Beach in San Pedro, California. Access from this park would follow the beach line at low tide. No grading will be required for construction equipment to travel along the shore. The project will not extend into coastal waters.

**Construction Staging:** Construction staging will occur within the existing 100-foot wide utility corridor south of W. 25<sup>th</sup> Street near the proposed lower tunnel launching pit. A smaller staging area will be located near the northern Palos Verdes Drive East switchback where the first canyon access road will be located.

**Excess Excavated Materials:** It is anticipated that much of the excess spoils from tunneling operations will be used for the buttress fill needed in the canyon. Excess excavated materials that cannot be used due to the dirt quality, or is not needed, will be disposed of by third party dirt brokers. No excess dirt will be deposited on the beach.

### Impacts

Construction of the inlet structure and canyon stabilization will impact approximately 0.07 acres, or 1100 linear feet of jurisdictional drainage. After project completion, the new elevated streambed will be re-vegetated.

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Six alternatives were considered when designing the project. Based on the alternatives reviewed, when compared to the proposed project, the proposed project presented the least amount of jurisdictional and native habitat impacts.

- |   |   |
|---|---|
| 8. Federal Agency/Permit:   | U.S. Army Corps of Engineers<br>NWP No. (Permit No. 2011-01140-CO)  |
| 9. Other Required<br>Regulatory Approvals:                                    | California Department of Fish and Game<br>Streambed Alteration Notification   |
| 10. California<br>Environmental Quality<br>Act Compliance:                    | A Mitigated Negative Declaration for the proposed project was approved and filed on December 20, 2011.  |
| 11. Receiving Water:  | San Ramon Canyon (Hydrologic Unit No. 405.11)   |
| 12. Designated Beneficial<br>Uses:  | MUN*, GWR, REC-1, REC-2, WARM, WILD, RARE<br><br>*Conditional beneficial use  |
| 13. Impacted Waters of the<br>United States:                                  | Vegetated streambed: 0.07 temporary acres (1,100 linear feet)   |
| 14. Dredge Volume:  | None  |
| 15. Related Projects<br>Implemented/to be<br>Implemented by the<br>Applicant: | The Applicant also conducted the McCarrell Canyon Storm Drain Project in Rancho Palos Verdes in 2008 and 2009. Certification No. 08-047 was issued for that project.  |
| 16. Avoidance/<br>Minimization<br>Activities:                                 | The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following: <ul style="list-style-type: none"><li>• Sediment from areas disturbed by construction shall be retained on site using structural controls to the maximum extent practicable.</li><li>• Stockpiles of soil shall be properly contained to eliminate or reduce sediment transport from the site to the streets, drainage facilities or adjacent properties via runoff, vehicle tracing, or wind.</li></ul> |

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- Appropriate BMPs for construction-related materials, wastes, spills or residues shall be implemented to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff. NO waste or spills shall be allowed onto beach.
- A beach apron will be used that will include large beach boulders to dissipate flow velocities and protect the beach from erosion.
- Runoff from equipment and vehicle washing shall be contained at construction sites.
- All construction contractor and subcontractor personnel are to be made aware of the required best management practices and good housekeeping measures for the project site and any associated construction staging areas.
- At the end of each day of construction activity, all construction debris and waste materials shall be collected and properly disposed of in trash or recycle bins.
- Construction sites shall be maintained in such a condition that a storm does not carry wastes or pollutants off the site.
- During construction, disposal of such materials should occur in a specified and controlled temporary area in approved containers on-site physically separated from potential stormwater runoff. With ultimate disposal in accordance with local, state and federal requirements.
- Discharging contaminated groundwater products by dewatering groundwater that has infiltrated into the construction site is prohibited.
- Discharging of contaminated soils via surface erosion is prohibited.
- Discharging of non-contaminated ground water produced by dewatering activities will require a national pollutant discharge elimination system (NPDES) permit from the Los Angeles



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- Any spillage of fuel, oil or hazardous materials from construction equipment or vehicles or significant releases of sediment due to construction activities or BMP failures that impact downstream storm drain areas must be immediately and properly cleaned up and removed, for spills of significant volume notifications must be immediately made to the city of Rancho Palos Verdes for assessment of best corrective action.
- Contaminated water, soil, sand or other material and hazardous wastes generated from the cleanup must be disposed by pre-approved methods.
- Notifications of spills and significant releases of sediment due to construction activities BMP failures impacting downstream areas or storm drains must be immediately made to the City of Rancho Palos Verdes.

17. Proposed  
Compensatory  
Mitigation:

The Applicant has proposed to enhance and restore 2.75 acres within the project vicinity, including 0.21 acres of jurisdictional waters.

18. Required  
Compensatory  
Mitigation

The Regional Board will require the Applicant to provide compensatory mitigation at a ratio of 3:1 for temporary impacts associated with the proposed project.

See *Attachment B, Conditions of Certifications, Additional Conditions* for modifications and additions to the above proposed compensatory mitigation.

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### Conditions of Certification File No. 11-201

#### STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867).
2. This Certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

#### ADDITIONAL CONDITIONS

Pursuant to 23 CCR §3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' (ACOE) Section 404 Permit and the California Department of Fish and Game's (CDFG) Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the State.**
2. The Applicant shall adhere to the most stringent conditions indicated with either this Certification, the CDFG's Streambed Alteration Agreement, or the ACOE Section 404 Permit.
3. The Applicant shall comply with all water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region (1994)*, as amended.
4. The Avoidance/Minimization activities proposed by the Applicant as described in Attachment A, No. 16, are incorporated as additional conditions herein.
5. The Applicant and all contractors employed by the Applicant shall have copies of this Certification and all other regulatory approvals for this project on site at all times and shall be familiar with all conditions set forth.



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### **Conditions of Certification File No. 11-201**

6. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the State. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the State.
7. All excavation, construction, or maintenance activities shall follow best management practices to minimize impacts to water quality and beneficial uses. Dust control activities shall be conducted in such a manner that will not produce downstream runoff.
8. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the State. Designated spoil and waste areas shall be visually marked prior to any excavation and/or construction activity, and storage of the materials shall be confined to these areas.
9. All waste or dredged material removed shall be relocated to a legal point of disposal if applicable. A legal point of disposal is defined as one for which Waste Discharge Requirements have been established by a California Regional Water Quality Control Board, and is in full compliance therewith. Please contact the Land Disposal Unit at (213) 620-2253 for further information regarding the disposal of solid wastes.
10. The Applicant shall implement all necessary control measures to prevent the degradation of water quality from the proposed project in order to maintain compliance with the Basin Plan. The discharge shall meet all effluent limitations and toxic and effluent standards established to comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act. This Certification does not authorize the discharge by the applicant for any other activity than specifically described in the 404 Permit.
11. The discharge shall not: a) degrade surface water communities and populations including vertebrate, invertebrate, and plant species; b) promote the breeding of mosquitoes, gnats, black flies, midges, or other pests; c) alter the color, create visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters; d) cause formation of sludge deposits; or e) adversely affect any designated beneficial uses.
12. The Applicant shall allow the Regional Board and its authorized representative entry to the premises, including all mitigation sites, to inspect and undertake any activity to determine compliance with this Certification, or as otherwise authorized by the California Water Code.
13. Application of pesticides must be supervised by a certified applicator and be in conformance with manufacturer's specifications for use. Compounds used must be appropriate to the



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target species and habitat. All pesticides directed toward aquatic species must be approved by the Regional Board. Pesticide utilization shall be in accordance with State Water Resources Control Board Water Quality Order Nos. 2004-0008-DWQ and 2004-0009-DWQ.

14. The Applicant shall not conduct any construction activities within waters of the State during a rainfall event. The Applicant shall maintain a **five-day (5-day) clear weather forecast** before conducting any operations within waters of the State.
15. If rain is predicted after operations have begun, grading activities must cease immediately and the site must be stabilized to prevent impacts to water quality, and minimize erosion and runoff from the site.
16. Sediment removal at each phase shall not go beyond the extent as defined in the application packet.
17. The grading, stabilization and re-vegetation will be phased to limit the exposed or working face such that the graded area can be stabilized within 24 hours after the first prediction of rain during the 5-day forecast or within 24 hours after final grading of the phased area.
18. The Applicant shall utilize the services of a qualified biologist with expertise in riparian assessments during any vegetation clearing activities. The biologist shall be available on site during construction activities to ensure that all protected areas are marked properly and ensure that no vegetation outside the specified areas is removed. The biologist shall have the authority to stop the work, as necessary, if instructions are not followed. The biologist shall be available upon request from this Regional Board for consultation within 24 hours of request of consultation.
19. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Applicant shall file a **Report of Waste Discharge (ROWD)** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste.
20. Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Applicant shall cease all activities in the areas where groundwater is present, file a Report of Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.
21. All project/construction/maintenance activities not included in this Certification, and which may require a permit, must be reported to the Regional Board for appropriate permitting.

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Bank stabilization and grading, as well as any other ground disturbances, are subject to restoration and revegetation requirements, and may require additional Certification action.

22. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a **Surface Water Diversion Plan** (plan) to this Regional Board. The plan shall include the proposed method and duration of diversion activities, structure configuration, construction materials, equipment, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. Contingency measures shall be a part of this plan to address various flow discharge rates. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for the following shall be implemented:
- pH
  - temperature
  - dissolved oxygen
  - turbidity
  - total suspended solids(TSS)

Analyses must be performed using approved US Environmental Protection Agency methods, where applicable. These constituents shall be measured at least once prior to diversion and then monitored for on a daily basis during the first week of diversion and/or dewatering activities, and then on a weekly basis, thereafter, until the in-stream work is complete.

Results of the analyses shall be submitted to this Regional Board by the 15th day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Downstream TSS shall be maintained at ambient levels. Where natural turbidity is between 0 and 50 Nephelometric Turbidity Units (NTU), increases shall not exceed 20%. Where natural turbidity is greater than 50 NTU, increases shall not exceed 10%. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.

23. The Applicant shall restore **all areas** of temporary disturbance which could result in a discharge or a threatened discharge to waters of the State. Restoration shall include grading of disturbed areas to pre-project contours and revegetation with native species. Restored areas shall be monitored and maintained with native species as necessary for five years. The Applicant shall implement all necessary Best Management Practices to control erosion and runoff from areas associated with this project.
24. The Applicant shall provide COMPENSATORY MITIGATION to offset the proposed temporary loss of **0.07** acres waters of the United States by creating or restoring riparian



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habitat at a minimum **3:1** area replacement ratio (**0.21 acres**). The mitigation site shall be located within the San Ramon Canyon unless otherwise approved by this Regional Board. The Applicant shall submit a **Proposed Mitigation Report** which shall include:

- (a) The boundary of the mitigation site shall be clearly identified on a map of suitable resolution and quality and shall also be defined by latitude and longitude.
- (b) The type(s) of mitigation shall be described (e.g., removal of exotics and/or replanting with native species, etc.)
- (c) Success criteria shall be established.

**This information shall be submitted to this Regional Board for approval prior to any disturbance within waters of the United States** and shall include copies of all agreements made between the Applicant and a third party organization regarding compensatory mitigation efforts.

- 25. All open space and mitigation areas shall be placed within a conservation easement to ensure preservation in perpetuity. Documentation of proper easement placement shall be submitted to the Regional Board within one year.
- 26. The Applicant shall submit to this Regional Board **Annual Mitigation Monitoring Reports** (Annual Reports) by **January 1<sup>st</sup>** of each year for a minimum period of **five (5) years** following this issuance of 401 Certification or until mitigation success has been achieved and documented. The Annual Reports shall describe in detail all of the project/construction activities performed during the previous year and all restoration and mitigation efforts; including percent survival by plant species and percent cover. At a minimum the Annual Reports shall include the following documentation:
  - (a) Color photo documentation of the pre- and post-project and mitigation site conditions;
  - (b) Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project and mitigation areas;
  - (c) The overall status of project including a detailed schedule of work;
  - (d) Copies of all permits revised as required in Additional Condition 1;
  - (e) Water quality monitoring results for each reach (as required) compiled in an easy to interpret format;
  - (f) A certified Statement of “no net loss” of wetlands associated with this project;
  - (g) Discussion of any monitoring activities and exotic plant control efforts; and



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- (h) A certified Statement from the permittee or his/her representative that all conditions of this Certification have been met.
27. Prior to any subsequent maintenance activities within the subject drainages/basin, including clearing, maintenance by-hand, and/or the application of pesticides, the Applicant shall submit to this Regional Board a NOTIFICATION of any such activity. Notification shall include: (a) the proposed schedule; (b) a description of the drainage's/basin's existing condition/capacity; (c) the area of proposed temporary impact within waters of the State; (d) a description of any existing aquatic resources (e.g., wetland/riparian vegetation); and (e) any proposed compensatory mitigation. Notifications must be submitted a minimum of **three (3) weeks** prior to commencing work activities.
28. All applications, reports, or information submitted to the Regional Board shall be signed:
- (a) For corporations, by a principal executive officer at least of the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which discharge originates.
  - (b) For a partnership, by a general partner.
  - (c) For a sole proprietorship, by the proprietor.
  - (d) For a municipal, State, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.
29. Each and any report submitted in accordance with this Certification shall contain the following completed declaration:

"I declare under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who managed the system or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Executed on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Signature)  
(Title)"

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### Conditions of Certification File No. 11-201

30. All communications regarding this project and submitted to this Regional Board shall identify the Project File Number **11-201**. Submittals shall be sent to the attention of the 401 Certification Unit.
31. Any modifications of the proposed project may require submittal of a new Clean Water Act Section 401 Water Quality Certification application and appropriate filing fee.
32. The project shall comply with the local regulations associated with the Regional Board's **Municipal Stormwater Permit** issued to Los Angeles County and co-permittees under NPDES No. CAS004001 and Waste Discharge Requirements Order No. 01-182. This includes the Standard Urban Storm Water Mitigation Plan (SUSMP) and all related implementing local ordinances and regulations for the control of stormwater pollution from new development and redevelopment. The project shall also comply with all requirements of the National Pollutant Discharge Elimination System (NPDES) **General Permit** for Storm Water Discharges Associated with Construction Activity, Order No. 2009-009-DWQ. All stormwater treatment systems shall be located outside of any water of the State and shall not be used as a wetland or riparian mitigation credit.
33. Coverage under this Certification may be transferred to the extent the underlying federal permit may legally be transferred and further provided that the Applicant notifies the Executive Officer at least 30 days before the proposed transfer date, and the notice includes a written agreement between the existing and new Applicants containing a specific date of coverage, responsibility for compliance with this Certification, and liability between them.
34. The Applicant or their agents shall report any noncompliance. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
35. *Enforcement:*
  - (a) In the event of any violation or threatened violation of the conditions of this Certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under State law. For purposes of section 401(d) of the Clean Water Act, the applicability of any State law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a

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limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this Certification.

- (b) In response to a suspected violation of any condition of this Certification, the State Water Resources Control Board (SWRCB) or Regional Water Quality Control Board (RWQCB) may require the holder of any permit or license subject to this Certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
  - (c) In response to any violation of the conditions of this Certification, the SWRCB or RWQCB may add to or modify the conditions of this Certification as appropriate to ensure compliance.
36. This Certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application prior to termination of this Certification if renewal is requested.